

RECEIVED**JUN 28 2004****WATER RIGHTS
LOGAN****TL BAR RANCH**

Pilot Peak, Utah

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SALT LAKE**

June 25, 2004

Division of Water Rights
1780 North Research Park Suite 104
North Logan, Utah 84341

Gentlemen:

I am writing to get your input on a proposed irrigation rehabilitation project at my ranch.

The ranch is located on the east side of Pilot Peak and barely in Box Elder County.

A brief outline of the story: I purchased the Ranch in 1970 from Peter McKeller. In 1960 Mr. McKeller reached an agreement with Western Pacific Railway for the use of any surplus water from two claims of Western Pacific on the Cottonwood Creek and the Morrison Creek drainage.

See the note of agreement in the "Proposed Determination of Water Rights in Box Elder County". Great Salt Lake Division, Code 13, Southwestern Box Elder County. See claim 2798, page 473 and claim 9, page 475.

It appears there was already an irrigation ditch from Cottonwood Creek over to Morrison and an irrigation ditch from Morrison down to the ranch. These ditches are still in place and I propose to rehab them and bring the surplus water down to our ranch. We do now receive some surplus water in the spring but it is mostly lost in the creek channels.

I would also consider building a storage pond on my own property West of the ranch for flood irrigation.

I am aware the Fish and Wildlife folks are working on Lahonton Cutthroat Trout in the Morrison, but we only enter into the picture when the surplus water goes to the east and they are through with it.

So my questions are:

Are my claims still valid as I presume they are.

What do I have to do to proceed with rehab work?

Since the irrigation ditches have been there for such a long time (and still in amazing condition) do we have a right of way for them or do we need to apply for right of ways?

Can I build a holding pond on my own property?

The last time I worked with you folks up there Mr. Turnipseed was my contact. Is he still there or retired?

I thank you for your help and consideration. I can be reached via mail at address on bottom, phone 801 667 6607 mob or 801 277 2966.

Dean R. Stephens
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